

REMARKS

Claims 1, 3, 8-15, 46-48 and 50-53 currently appear in this application. The Office Action of May 18, 2005, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicants respectfully request favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Sequence Compliance

The specification has been amended to insert the sequence identification numbers of all sequences recited within the specification.

Rejections under 35 U.S.C. 112

Claim 1 and claims 3, 8-15, 43, 46, 47, and 51, which depend from claim 1, are rejected under 35 U.S.C. 112, second paragraph, for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claim 1 has been amended to recite single values for each physicochemical property, which are those of a purified α -isomaltosyl-glucosaccharide-forming enzyme obtained from a microorganisms of the genus *Bacillus* selected from the group consisting of *Bacillus globisporus* C9, FERM BP-7143 and mutants thereof.

Claims 52 and 53, respectively have been added to define a purified α -isomaltosylglucosaccharide-forming enzyme obtained from a microorganism of the genus *Bacillus* selected from the group consisting of *Bacillus globisporus* C11, FERM BP-7144 and mutants thereof; and purified α -

isomaltosylglucosaccharide-forming enzyme obtained from a microorganism of the genus *Bacillus* selected from the group consisting of *Bacillus globisporus* N75, FERM BP-7591 and mutants thereof.

Claim 43 has been cancelled by the present amendment, so the rejection of claim 43 under 35 U.S.C. 112 is now moot.

Claim 51 has been amended to delete the term "substantially."

Claims 1 and 48 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

This rejection is respectfully traversed. As noted above, claims 1 and 48 have been amended so as to comply with the written description requirement. The enzyme and its physicochemical properties as recited in amended claim 1 are described in Experiment 5-1 on pages 69-71 of the specification as filed. Those recited in new claims 52 and 53, respectively, are described in Experiment 8-1 at pages 81-83 and Experiment 12-1 at pages 97-99. The enzyme and its physicochemical properties recited in claim 48 are described in Experiment 16-1 at pages 112-113 of the specification as filed.

Claims 1, 3, 8-15, 43, 46, 47 and 48-51 are rejected under 35 U.S.C. 112, first paragraph, because the specification is said not to reasonably provide enablement for any such enzyme isolated from any or all sources such as any microorganisms, any species of *Bacillus* or *Arthrobacter*, or any bacteria, fungi, algae, or protozoa or recombinants, mutants, and variants of the enzymes having a broad molecular weight range and characteristics as claims in claims 1 and 48.

This rejection is respectfully traversed. The claims have been amended to limit the enzyme to one obtained from the specified microorganisms and mutants thereof, and the

physicochemical properties have been amended to those of the enzymes described in the specification.


Claims 1, 3, 8-15, 43, 46, 47 and 48-51 are rejected under 35 U.S.C. 112, first paragraph, for containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

This rejection is respectfully traversed. The claims have been amended to recite specific enzymes from specific microorganisms. Support for these recitations can be found in the specification as filed in Experiment 5-1 at pages 69-71; Experiment 8-1 at pages 81-83; and Experiment 12-1 at pages 97-99. The amendment to claim 48 can be found in the specification as filed in Experiment 16-1 at pages 112-113.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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